

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARL RENOWITZKY, et al.,

Plaintiffs,

v.

WELLS FARGO BANK N.A, et al.,

Defendants.

Case No. [15-cv-05042-JCS](#)

**ORDER REGARDING REQUEST FOR
ACCOMMODATION AND NOTICE OF
BANKRUPTCY STAY**

Re: Dkt. No. 51

This action by pro se Plaintiffs Carl Renowitzky and Pauline Gallegos relates to a purported wrongful foreclosure of certain property in Castro Valley, California. On June 15, 2016, the Court granted a motion by Defendants Wells Fargo Bank, N.A. and NDeX West, LLC to dismiss Plaintiffs' first amended complaint, but granted Plaintiffs leave to file a second amended complaint no later than July 13, 2016. *See* dkt. 50. The Court noted but did not resolve concerns about whether Renowitzky—who has no recorded interest in the property at issue—has standing to assert claims based on wrongful foreclosure. *See id.* at 9–10 & n.4. To date, no amended complaint has been filed.¹ On July 15, 2016, Renowitzky filed a request for accommodation of disabilities and a notice of Chapter 13 bankruptcy. *See* dkt. 51.

The request for accommodation states that due to vision impairments and complications from a head injury, Renowitzky requires “more time to file documents from time to time.” *Id.* at ECF p. 3. Renowitzky's impairments are noted, and he may request extensions of specific deadlines as needed. The Court will consider such requests on a case-by-case basis.

With respect to bankruptcy, Renowitzky asserts that “[t]his case should of stayed and been paused bankruptcy was filed on or about 4/15/16 and on May 16.” *Id.* at ECF p. 1 (sic

¹ In light of the possibility of a bankruptcy stay, the Court declines to address Plaintiffs' failure to meet this deadline at this time.

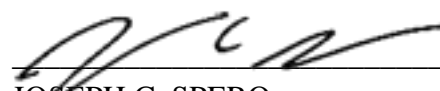
throughout). The Notice of Chapter 13 Bankruptcy Case attached to Renowitzky's filing is deficient in that it lacks a case number for the bankruptcy proceeding—instead, Renowitzky lists the case number for this civil action—and leaves blank the filing date of Renowitzky's Chapter 13 bankruptcy action. *Id.* at ECF p. 2. If Renowitzky believes this action should be stayed or that any other action is appropriate in light of his bankruptcy proceedings, he must file an amended notice of bankruptcy **no later than August 22, 2016**² including sufficient information to identify his bankruptcy proceeding (most importantly, the Bankruptcy Court case number) and clearly articulating the relief that he seeks. Defendants shall file a response **no later than August 29, 2016**, stating their position on any relief that Renowitzky seeks.

Renowitzky's recent filing also states that he "has standing to bring this case as he is a trustee in a trust that this property was deeded to." *Id.* at ECF p. 1. Because the Court's previous order declined to resolve the issue of Renowitzky's standing, Renowitzky remains a plaintiff in this action at this time. Plaintiffs second amended complaint should include any allegations that they believe support Renowitzky's standing.

Plaintiffs, who are not represented by counsel, are encouraged to consult with the Federal Pro Bono Project's Legal Help Center in either of the Oakland or San Francisco federal courthouses for assistance. The San Francisco Legal Help Center office is located in Room 2796 on the 15th floor at 450 Golden Gate Avenue, San Francisco, CA 94102. The Oakland office is located in Room 470-S on the 4th floor at 1301 Clay Street, Oakland, CA 94612. Appointments can be made by calling (415) 782-8982 or signing up in the appointment book located outside either office, and telephone appointments are available. Lawyers at the Legal Help Center can provide basic assistance to parties representing themselves but cannot provide legal representation.

IT IS SO ORDERED.

Dated: August 5, 2016


JOSEPH C. SPERO
Chief Magistrate Judge

² This deadline takes into account Renowitzky's impairments and will not be extended absent a showing of good cause.